(Preserve)

App. F. IX-4

Previous References

SA 17-15 (1-4)

193 1. SRA

File No. 129-31

Serial Nos. 3 to 6

1942

~~*Later References*~~

SRA 443-32 (1-2)

SRA 305-34 (3, 4, 5)

General and Revenue Secretariat.

S.P. (6-41)-(1-4)

S.P. 8-42 (1-4)

Serial Nos. 2 to 7

Part B for February 1932

SUBJECT.

Disposal of the Pallapur Pension drawn by late Jamnavva of Belagutti Family.

Sl 4) To Comptroller, M 6729 of 24.2.32

Directs for reasons stated that the Vacant pension be lapsed as the last holder has left no issues.

4/4/32

Serial No.

Letter no: 3380 dt 19.12.31 from the Complr forwarding the report of the officer in charge, State Hazna Treasury, on the disposal of the vacant pension of Rs 63.8.0, enjoyed by the late Jaganarva, Pattegar of Belaguthi Family who died on 13.8.30.

At present the Belaguthi Family of Pattegars consists of 3 pensioners:

1 Puttuswami, (H 6459-60 / H 394-07-2 — dly 9

2. Jaganarva (H 6814-5/Sta 376-07-7) dly

& 3 Sri Ranga Rayarru PP 129-678 8.2.24

The State Hazna Treasury officer reports that no 2 - Jaganarva, who was granted a pension of Rs 63.8.0 in P.O. no: H: 6814.5/S&A 376.07.) dt 30.6.1908, died on 13.8.30 leaving no issues behind her & recommends, after inquiry that the vacant pension may be registered in the name of Rangappa Sanjeeva the eldest surviving member of the family as agreed to by the others.

2 It is for orders whether the vacant pension should not lapse to govt: as the last pension holder i.e Jaganarva died w/o issue - leaving any issues.

3 The Genealogical table (so flagged X. received from the S. H.O

DSRam 15/1/ 5 From the Genealogical tree presented to this office so far back as 1912, it is seen that both messrs Ranjeevajiah & Narasappa referred to by the State Hazna Dy: officer belong to the group family so

NOTE—Contn. Sheet.

Mr. Rangappa rajah's father & the husband of Jagannavva (deceased) are cousin brothers. It is also reported that Rangappa Rajah is the senior male member of the family.

NJ 18/1

In para 2 of his letter the State Huzur Treasury Officer has stated that his proposal is "in accordance with the recognised policy of Govt to continue vacant pensions in the name of the survivors". Please furnish Govt orders, if any, laying down this policy and the circumstances in which such pensions should lapse to Govt.

18/1

Submitted Kind reference is invited to ~~paras~~ the notes in paras 11 to 14* & 16 & 17 of S & A File No: 40-25. where the devolution of these pensions are discussed. S & A File No: 42-18-10 referred to in the notes flagged Q has been submitted in another connection & is not readily available. Attention is also invited to the opinion of the Legal Remembrancer in the notes in paras 49-53 of S & A File 100-27

Reference

18 Rev NJ

In recommending the continuance of the pension to Jagannavva on the death of her husband Thimmappa Rajah, the state Huzur Tr. Officer stated in para 2 of his letter dt 8-4-08 that the latter was reported to have left no other heir except a daughter & that the other members of the family were agreeable to the transfer of the pension to Jagannavva's name. The daughter referred to has since died.

File flagged H.

The pension appears to have been

General and Revenue Secretariat — S.R. File No. 3093-129 of 193 1 — [App. F. III—2

Serial No.

Flag M

intended only for the maintenance of the deceased widow her daughter, and seeing that the present claimants did not claim it when Thimmappa rajah died & that they are also distant relations of the latter it is for consideration if the doctrine of lapse ~~case~~ may not be applied to the case, as was done in the case of the pension of Easwaramma Nagathi.

Flag N

(Sd) Illegible Nov 26/1

5624/26/1

5 The Vacant pension belongs to the branch commencing from Mariappa Rajayya in the G. tree. Had the other branch of Venkatappa rajayya any share or interest in this pension at any time? Is the applicant in receipt of any pension? If the family of Venkatappa rajayya had not been in receipt of any benefit whatsoever at any time in the Bilaspathi pallayan pension, how can the claim of the pet. to the heirship of the Vacant pension be recognised. It has been the view, supported by legal opinion that pallayan pensions cannot be treated as heritable property, the being devolved on any person, however distant from the deceased, under the law of intestate succession.

The merits of each case have to be examined and it is in the discretion of Govt to allow or lapse the Vacant pension, in the absence of lineal heirs in the male line.

h 26-1-32

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

SM File No. 129 of 193 /. General and Revenue Secretariat

Subd. The vacant pension in question belongs to the branch commencing from Mariappayajiah in the Genealogical tree. This Mariappayajiah and Venkappayajiah referred to, are uterine brothers and it would appear they belonged to an undivided family from which Jagannava claimed the pension on behalf of her deceased husband. She has given expression to the feeling of oneness of the family interest.

Has 'Z'

The family of Venkappayajiah is not in receipt of any separate pension whatsoever as they were of an undivided family. and the vacant pension has come to be registered in the name of the senior members of the family. The present applicant (Rangayajiah) claims the pension as the next senior ~~member~~ male member and the other members of the family also have given a written statement to that effect. This Rangayajiah belongs to the same group, his father and the husband of Jagannava being cousin brothers.

Mark W appr

The statement at A may be further verified with reference to the sanctioning the pension to Thimmappayajiah, husband of Jagannava

Subd Kind reference is invited to Camp no 917-18 of 26-6-87, sanctioning the pension to Thimmappayajiah. This Thimmappayajiah which fell vacant on the death of his father while claiming the pension, Expressly States

General and Revenue Secretariat | S.R. File No. 3093 / 125 R of 1931. | [App. F. III—2

Serial No.

Next all the members of the family lives jointly. Also the other members of the family have also made a similar statement (viz Rangappa Rajaiah)

Tahsildar) Asst. Cr.

Forwarded for the Enquiry

16 I am afraid that the Officer in charge of the State Huzur Treasury has not fully gone into the history of this case and that his recommendation to register the vacant pension in the name of Rangappa Rajaiah cannot be accepted.

15 The pension under disposal was originally granted to one Dasappa Naik (alias) Dasappa who forfeited the same by proceeding to his native place without leave. It was then transferred to his son-in-law, Mariappa-rajaiah on whose death it was devolved on his second son, Jaganapparaju in preference to the elder brother who was passed over as being incapacitated by disease.

16 After the death of Jaganapparaju, the pension was granted to his son Thimmapparajaiah (alias) Thiru-kapparajaiah and after him it was continued to his widow Jaganavva. She is now dead and there are no heirs in the male or female line belonging to this branch of the family.

17 It will be seen from the above statement that Mariapparajaiah's brother Thirukapparajaiah or his descendants could have ~~any~~ no interest or right in the pension orginally drawn by Dasappa and conferred on Mariapparajaiah.

NOTE—Contn. Sheet.

P.T.O.

WD 70—GBPM—60,000—13-8-31.

S.A File No. 129 3093. of 1931.

General and Revenue Secretariat

The records do not show that the petitioners ancestors were in enjoyment of any portion of the pension. The mere statement made by some of the members of the family that both the branches were undivided is not sufficient to create a right in the second branch of the family represented by the petitioner in the pension devolved on the ancestors of the elder branch from his father-in-law, Dasappa.

I think that the pension should lapse to Government.

4835

(1st member) 15.2.32

I agree. The pension sanctioned to Jagannava was not ace to terms of its grant, for the benefit of the family. The transfer of the pension to Mariapparajah Can not be Connected to have been in order as he was only the Son-in-law of Dasappa. In any Case the last holder has left no issue and the pension may lapse

17.2.32

2nd) Submit with a draft G.O. for his approval

17/2

2nd) 17/2

6294

2nd) 22/2

Draft revised

2nd) 22/2

Issue 23/2

TYPIST GENL. & REV SECTT. 24. FEB 1932

Serial No.	
4	To, The comptroller No 71 6729 W 26-2-32 Directs the pension should lapse

B

NOTE—Contn. Sheet.

Srt 129-31-3

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

FINANCIAL BRANCH 3093 2 DEC 1931

Comptroller's Office, Bangalore,

No. 3380 S.H.Try/Enc 6. Dated the 19th December 1931.

Rajasevaparayana
B. Srinivasa Iyengar Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Financial Department, Bangalore.

2 DEC. 1931

Sir,

I have the honor to forward herewith for orders of the Government the report of the Officer in charge of the State Huzur Treasury, Bangalore, on the disposal of the vacant pension of Rs.63-8-10 enjoyed by the late Jaganavva, Pallegar of Belagutti Family, who died on 13th August 1930.

I have the honor to be,
Sir,
Your most obedient servant,

S. Thammanna
Comptroller

19/12

CV

No.3260 S.H.Try.

Office of the Officer in Charge,
State Huzur Treasury, Bangalore,
dated 15th December 1931.

18

From

M. S. Ramachandra Rao, Esq., B.A., B.L.,
Officer in charge.
State Huzur Treasury,
Bangalore.

To

S. Shamanna, Esq., B.A.,
Comptroller in Mysore,
Bangalore.

Sir,

I have the honor to report that Jaganavva, Pollegar of Belaguthi Family, who was in receipt of a monthly stipend of Rs.63-8-0 sanctioned to her in Government Order No.Fl.6814-5/S&A 374-07-7 dated 30th June 1908 died on 13th August 1930 at Belaguthi leaving no heirs behind her. The death certificate is herewith sent together with the copy of the geneological tree presented by her on 3-4-12 for reference and return. It is seen from the above Government Order and the geneologica tree that the deceased pensioner Jaganavva had a daughter Halavva who is now not alive.

2. The other members of the same family Messrs. Rangappa Rajaiah and Hariappa Rajaiah -cousin brother of Thimmappa Rajaiah husband of Jaganavva- have submitted a statement made before me on 8-11-30 praying for the continuance of the pension which the deceased was in enjoyment in the name of Rangappa Rajaiah the eldest member of the family which was forwarded to the Amildar, Honnali Taluq, with this office No.1840 dated 11th November 1930 for enquiry. & report as to the truth or otherwise of the statements made therein. It is seen from his report that the facts alleged in the statements are all found to be true. All the members of this family are living together from the time of their grand-father Mariappa Rajaiah and Thimmappa Rajaiah and they are all agreeable to the vacant pension being registered in the name of Rangapparajaiah the eldest surviving member of the family Not only is this in consonance with the principles of Hindu Law but it is also in ~~consonance~~ accordance with the recognised policy of Government to

continue

In the circumstances
continue vacant pensions in the names of the survivors. I recommend that the pension of Rs63-8-10 per mensem which the deceased Jaganavva was receiving may be transferred to Mr. Rangapparajaiah the senior member of the family who may be registered as head barawadar and it may be ordered to be paid to him from the date of the death of the deceased.

3. The connected papers are herewith sent as per *Phrist* for reference and return.

I have the honor to be,
Sir,
Your most obedient servant,

N. Madhavaraj

Officer in charge,
State Huzur Treasury.

MSR

R.S. App. F VI—G 2]

JECT .....

.....

.....

Diary No. of letter replied to .....

Section STA

File No. 129-31

Serial No. 4

General and Revenue Secretariat

( )

the 193

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue ....26-2-.... 1932.

Signed by Mr A. Subba Rao

Read—

G.O. no R 6874-5/STA 374-07-7 dy 30.6.08

Sanctioning the Continuance of the pension of Rs 63-8-10 enjoyed by Nimmappanajaiah Pallegaru of Belagutti family in the name of his widow Jagannavva

2. Letter No 3380/STA dy 10-12-31 from the Comptroller & Report forwarding the report of the officer in ~~the Charge~~ Charge of the Taluk Huzur Treasury regarding the disposal of the ~~late~~ pension of Rs 63-8-10 enjoyed by ~~the late~~ Jagannavva ~~Pallegar of Belagutti family~~ who died on 13th May 30, (Order no R 6729 dy 26/2/32

Order thereon.—No.

The pension under disposal was originally granted to one Basappa Naik (alias) [redacted]

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

~~Nimmappanajaiah Pallegaru Jagannavva~~
~~was read, regarding the pay of the post-~~
~~office Runner Thimmappa and the~~
~~Line Keeper Ramappa~~

and Ds. Kanaka

Thirumalappa rajiah, was not in acty. The enticement, the pension to Jagannava was not according the terms of its grant, for the benefit) suspended. As the last holder has left no issue, Govt. ordered that the pension lapse.

28/2/32

2. After the death of Jagannatharaja -the pension was registered in the name of his son Thirumalappa rajiah alias Venkatappa rajiah and after them the pension in question was sanctioned to his widow Jagannava.

3. Jagannava is reported to have died on the 13th August 30 leaving no issues male or female, and the S. H. T. Officer recommends that the vacant pension may be registered in the name of Rangappa rajiah, cousin brother of Thirumalappa rajiah who belongs to the second branch of the family

Copied by

Examined by

List of Enclosure

WD 73—GBPM—20,000—10-8-31.

G. R. S. App F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

4 The records relating to the ~~On an examination of the whole~~ case, ~~it is clear~~ do not show that the ancestors of the said Rangeshwarajah were ~~not~~ in enjoyment of any portion of the pension and the mere statement made by some of the ~~late~~ family members that both the branches were undivided, is not sufficient to create a right in ~~the~~ for the second branch of the family represented by the petitioner in the pension which devolved on the ancestor of the ~~elder~~ first branch from his father-in-law Dasappa. It is also seen that the pension sanctioned to Jagannadha was not, according to the terms of its grant, for the benefit of the ~~late~~ family.

and that she has left no lineal descendants

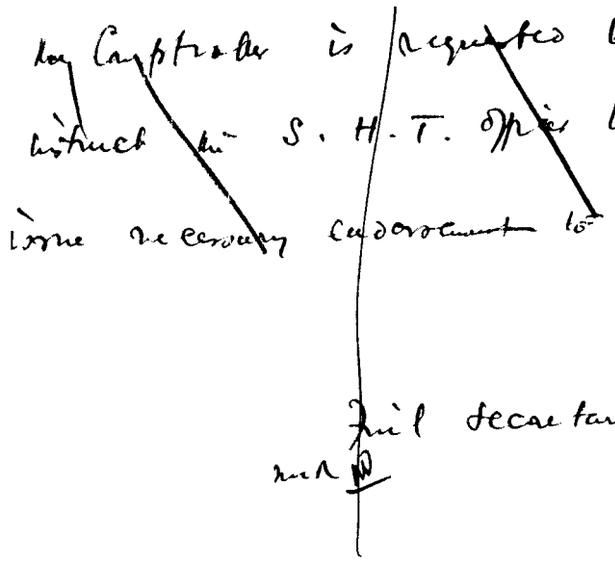
In ~~any case~~, ~~both~~ the ~~last holder has left no issue~~ the cases

of the last holder has left no lineal descendants

5. In the above circumstances I ~~do not~~ see no reasons to continue the pension and direct that it shall lapse, ~~to Govt~~.

O.T.O.

WD 0327—GPB—10,000—18-5-27



Do The Comptroller (with Records)

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read:-

Government Order No.Fl.6814-5/S & A.374-07-7 dated 30th June 1908 sanctioning the continuance of the pension of Rs.63-8-10 enjoyed by Thimmapparajaiah, Pallegar of Belagutti family in the name of his widow Jaganavva.

2. Letter No.3380/S.H.Try. dated 10th December 1931 from the Comptroller to Government forwarding the report of the Officer in charge of the State Huzur Treasury regarding the disposal of the pension of Rs.63-8-10 enjoyed by Jaganavva who died on 13th August 1930.

Order No. Fl. 6729/S&A.129-31-4

Dated Bangalore, the 24th February 1932.

The pension under disposal was originally granted to one Dasappa Naik (alias) Dasappa and its transfer to his son-in-law, Nariapparajiah, was not in order. The continuance of the pension to Jaganavva was not according to the terms of its grant, for the benefit of the family. As the last holder has left no issue, Government direct that the pension should lapse.

Aswatha Rao

for Financial Secretary to Government.

To

The Comptroller to Government (with records).

B.K.M.2